



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

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April 5, 2001

Gary Clawson, Chairman  
375 South 800 East  
Hyrum UT 84319

Greg Hansen, Commissioner  
538 North Main Street  
Brigham City UT 84302

Gentlemen:

The purpose of this letter is to summarize and confirm the results of the meeting that was held on February 23, 2001 concerning the distribution of water on Obray Spring Stream. At the meeting, it became apparent there are some water rights on Obray Spring Stream that have not been included in the distribution system and have not been regulated by the commissioner. It also became apparent that the water rights that have been shown on the distribution schedule under the Obray Spring Stream accounts actually have the Little Bear River as their source.

There have been no significant changes in the past thirty years in the way the water rights in the system are listed. We were not able to determine the reason for these oversights, however, it was determined that the following changes would be made:

The name of account # 13 will be changed from Obray Spring Stream to Oxbow Channel Diversion.

Account # 23 will be created and named Obray Spring Stream. It will include water rights 25-1288, 826, 1872, 365, 2015. Assessment accounts will be set up for the water users who use these water rights and assessments will be made to these accounts starting in 2002.

No changes will be needed to the distribution schedule shown in the commissioner's report because that schedule is for the main stem of the river. The Obray Spring Stream is a tributary where the priority dates are earlier than most on the river.

There was some discussion about how to distribute water among the water right owners on Obray Spring Stream because their priority dates differ by one day each: April 1, 2, 3, & 4 of 1860. It was finally decided that, as long as 1 cfs is available from the springs which feed Obray Spring Stream, 1 cfs will be left in Obray Spring Stream measured at the point where it leaves the White Trout Farm area. The remainder of the flow will be turned back towards the river. If there appears to be a shortage of water on Obray Spring Stream, the water users are to call Greg Hansen and ask him to turn another 1 cfs down to them. Greg will determine if water is available and turn an additional 1 cfs down to them for a short period of time. The availability of water will be determined by

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comparing the flow measured at the diversion from the Little Bear River into the White Ditch with the flow measured as it leaves the White Trout Farms at the point where it could be turned either to the river or into O Bray Spring Stream. It appears there is usually a 5 cfs increase in the flow of the ditch between those two points so it generally should not be a problem.

The O Bray Spring Stream water users are to install a Cipolletti weir at the beginning of the O Bray Spring Stream.

The delinquency on Richard Nielsen's accounts has been paid so there is no longer a restriction on the use of water allowed by his water rights.

If you have any questions concerning this letter or these issues, please contact me at (801)538-7380 or Bob Fotheringham, regional engineer, at (435)752-8755.

Sincerely

A handwritten signature in black ink, appearing to read 'Lee H. Sim', with a stylized, cursive script.

Lee H. Sim, P.E.  
Assistant State Engineer for Distribution

cc: Bob Fotheringham, Regional Engineer  
Greg Richman  
Joe Nielsen  
Richard Nielsen